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\* Admitted in TX only  
\*\* Admitted in CT only

August 9, 2005

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application No.: 10/534,593  
For: *GENES FOR INCREASING GRAIN YIELD AND USES THEREOF (AS AMENDED)*  
Inventors: Motoyuki Ashikari *et al.*  
Filed: May 11, 2005  
Our Ref. No.: SHZ-024US

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form SB/08;
3. Copy of publication A3 cited in PTO Form SB/08 (1);
4. Search Report; and
5. A Return Postcard.

Please charge the necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to:  
MS Amendment, Commissioner for Patents, P.O. Box 1450,  
Alexandria, Virginia 22313-1450 on:

August 9, 2005

Date

Jeanne M. DiGiorgio, Reg. No. 41,710

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP

*Jeanne M. DiGiorgio*  
Jeanne M. DiGiorgio  
Registration No. 41,710  
Attorney for Applicants



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Motoyuki ASHIKARA *et al.*

Serial No.: 10/534593

Filed: May 11, 2005

For: *GENES FOR INCREASING GRAIN YIELD  
AND USES THEREOF (AS AMENDED)*

Attorney Docket No.: SHZ-024US

Group Art Unit: N/A

Examiner: Not Yet Assigned

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Certificate of First Class Mailing (37 CFR §1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date set forth below.

August 9, 2005

Date of Signature and of Mail Deposit

By:

  
Jeanne M. DiGiorgio  
Registration No. 41,710  
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

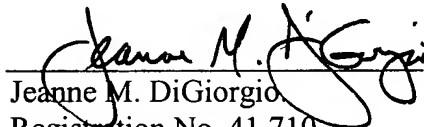
Applicants and their Attorney are aware of the following publications and information, listed on the attached PTO Form SB/08, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. References A1, A2, and A4-A8 were cited in an International Search Report dated January 20, 2004 in the corresponding International patent application number PCT/JP2003/014434. Since the foregoing publications and search report have previously been transmitted to all the designated

Offices by the International Bureau, Applicants do not enclose copies of those publications herewith. A copy of Reference A3 is enclosed in accordance with 37 CFR 1.98(a)(2).

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications.

In accordance with 37 CFR §1.97(d)(2) and §1.17(p), please charge the \$180.00 submission fee to our Deposit Order Account No. 12-0080. Please charge any necessary additional fees or credit any overpayments to our Deposit Order Account No. 12-0080.

Respectfully submitted,  
LAHIVE & COCKFIELD, LLP



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Jeanne M. DiGiorgio  
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Date: August 9, 2005

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Enclosures

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Substitute for form 1449A/B/PTO				Complete if Known	
				Application Number	10/534,593
				Filing Date	May 11, 2005
				First Named Inventor	Motoyuki Ashikari
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	SHZ-024US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
A1	WO 99/06571 A1	02/11/1999	University of Missouri		T <sup>6</sup>
A2	WO 03/000898 A1	01/03/2003	Syngenta Participations AG.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	A3	Ashikari, M. et al. "Cytokinin Oxidase Regulates Rice Grain Production" <i>ScienceExpress</i> (23 June 2005), Vol. 10, No. 1126, pp.1-8.			
	A4	Bilyeu, K.D. et al. "Dynamics of expression and distribution of cytokinin oxidase/dehydrogenase in developing maize kernels." <i>Plant Growth Regulation</i> (2003 March), Vol. 39, No. 3, pp. 195-203.			
	A5	Houba-Herin, N. et al. "Cytokinin oxidase from Zea mays: purification, cDNA cloning and expression in moss protoplasts." <i>Plant J.</i> (1999), Vol. 17, No. 6, pp. 615-626.			
	A6	Joseph, T. et al. "Changes in cytokinins and cytokinin oxidase activity in developing maize kernels and the effects of exogenous cytokinin on kernel development." <i>Plant Physiol. Biochem.</i> (1995), Vol. 33, No. 3, pp. 327-336.			
	A7	Sasaki, T. et al. "The genome sequence and structure of rice chromosome 1." <i>Nature</i> (2002 November), Vol. 420, No. 6913, pp. 312-316.			
	A8	Yang, S.H. et al. "Functional characterization of a cytokinin oxidase gene DSCKX1 in Dendrobium orchid." <i>Plant Mol. Biol.</i> (2003 January), Vol. 51, No. 2, pp. 237-248.			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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